

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re the matter of

Rory D. Boyd
& Letesha Briggs
Debtors.

CHAPTER 7

NO. 19 B 16135

Judge Carol A. Doyle

NOTICE OF MOTION

TO:

Rory D. Boyd
& Letesha Briggs
14369 Park, Apt. 2
Harvey, IL 60426
Via regular mail

David M. Siegel
Via electronic notification

David R. Herzog
Via electronic notification

PLEASE TAKE NOTICE that on February 19, 2020 at 10:00 a.m., or as soon thereafter as Counsel may be heard, we shall appear before the Honorable Carol. A. Doyle, Bankruptcy Judge, at 219 South Dearborn Street, Courtroom #742, Chicago, Illinois, and then and there present the attached Motion, a copy of which is hereby served upon you.

PROOF OF SERVICE

I, the undersigned attorney, certify that I served a copy of this Notice with Motion attached, upon debtor, as listed above, by mailing same in a properly addressed envelope, postage prepaid, from 112 Cary Street, Cary, Illinois 60013 and via electronic notification on the remaining parties, as listed above, that occurs automatically after the filing the Motion. That the motion was filed, and the placement of any mailed copies being placed in the mail occurred before the hour of 5:00 P.M. on February 7, 2020.

Christopher H. Purcell
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Attorney for Credit Acceptance Corporation

BY: /s/ Christopher H. Purcell
CHRISTOPHER H. PURCELL

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MOTION TO MODIFY AUTOMATIC STAY

Now comes Credit Acceptance Corporation (hereinafter the “Movant”), a creditor herein, by SHERMAN & PURCELL LLP, its attorneys, and moves this Honorable Court for entry of an Order modifying the restraining provisions of §362 of the Bankruptcy Code, and in support thereof respectfully represents as follows:

1. The Movant is a secured creditor of the Debtor. The Statement to Accompany Motions for Relief from Stay is attached hereto and incorporated herein including, but not limited to the description of the collateral.
2. The Debtor has not offered, and Movant. is not receiving, adequate protection for its secured interest or depreciating value and said motor vehicle is not necessary to an effective reorganization by the Debtor. The Movant will suffer irreparable injury, harm and damage should it be delayed in taking possession of the motor vehicle aforesaid and foreclosing its security interest therein and therefore requests that Bankruptcy Rule 4001(a)(3) not apply.
3. The payments are past due for the May 14, 2019 payment and each month thereafter and the Debtor has not provided evidence of full coverage insurance.

WHEREFORE, the Movant prays that this Honorable Court enter an Order modifying the restraining provisions of §362 of the Bankruptcy Code to permit the said Movant to take possession of and foreclose its security interest in a certain 2011 GMC Terrain, VIN 2CTALMEC7B6443055 and further relief as this Court may deem just.

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CREDIT ACCEPTANCE CORPORATION.

BY: /s/ Christopher H. Purcell
One of its Attorneys

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